

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KELLY HARRIS,

Plaintiff,

v.

GENERAL MOTORS LLC,

Defendant.

C20-257 TSZ

MINUTE ORDER

Having reviewed the parties' Joint Status Report and Discovery Plan ("JSR"), docket no. 31, and the Court's subsequent orders, docket nos. 33 and 37, the Court enters the following Minute Order:

(1) Plaintiff's fraudulent omission claim (Count 4) remains for trial. The Court previously dismissed the claim under the Washington Consumer Protection Act ("CPA"), RCW § 19.86.010 *et seq.* (Count 2) without prejudice and with leave to amend.¹ Order (docket no. 33 at 9). Plaintiff failed to file an amended complaint within 90 days of that Order. *See* Order (docket no. 33 at 10); *see also* Minute Order (docket no. 37) (stating that "the deadline to file any amended complaint[] shall remain in full force and effect");

(2) Pursuant to the JSR, docket no. 31, the Court orders as follows:

A. The deadline to join additional parties shall be **January 29, 2021**;

B. Defendant shall file an answer to Plaintiff's complaint, docket no. 1, by **January 29, 2021**;

¹ The Court, however, dismissed with prejudice the injunctive relief portion of the CPA claim because Plaintiff does not satisfy Article III standing requirements. *See* Order (docket no. 33 at 9 & n.9).

C. Pursuant to ¶ 5(H) of the JSR, the parties shall file a stipulated protective order on or before **February 12, 2021**, to govern the production and use of confidential information and to address privilege issues in the case;

D. Pursuant to ¶ 5(F) of the JSR, the Court sets a deadline of **March 10, 2021**, for Plaintiff to file a class certification motion. Defendant shall have 60 days to respond, and Plaintiff shall have 30 days to reply to Defendant's response. The motion shall be noted for **June 4, 2021**. The class certification motion and the response brief in opposition to that motion shall not exceed 36 pages, and the reply brief shall not exceed 18 pages;

E. Fact discovery shall be completed by **March 5, 2021**, and class certification expert discovery shall be completed on the same schedule as briefing on Plaintiff's motion for class certification, *see* subparagraph D above;

F. The Court sets a deadline of **April 23, 2021**, to file any dispositive motion. Any party opposing that motion shall have 28 days to respond, and the moving party shall have 14 days to reply. The motion shall be noted for **June 4, 2021**. The dispositive motion and the response brief in opposition to that motion shall not exceed 36 pages, and the reply brief shall not exceed 18 pages;

G. Following a ruling on the motion for class certification or any dispositive motion, and pursuant to the parties' request, the Court will hold a status conference to determine the schedule for the remainder of the case, including expert discovery and trial; and

(3) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 6th day of January, 2021.

William M. McCool
Clerk

s/Gail Glass
Deputy Clerk